

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILIN	G DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,800	12/1	2/2000	Teoh Hwa Ang	U 013029-5	5191
7	590	04/14/2003			
Ladas & Parr			EXAMINER		
26 West 61st Street New York, NY 10023				JOHNSON, STEPHEN	
				ART UNIT	PAPER NUMBER
				3641	
				DATE MAILED: 04/14/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

?		Application No.	Applicant(s)				
		09/734,800	ANG, TEOH HWA				
	Office Action Summary	Examiner	Art Unit				
		Stephen M. Johnson	3641				
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the o	correspondence address				
THE I - Exter after - If the - If NO - Failu - Any r	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. sions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period we to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	mely filed ys will be considered timely. In the mailing date of this communication. ED (35 U.S.C. § 133).				
1)⊠	Responsive to communication(s) filed on 23 L	December 2002 .					
2a)⊠		is action is non-final.					
3)□							
Dispositi	on of Claims						
4) 🖾	Claim(s) <u>38-64</u> is/are pending in the application	on.					
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)⊠	Claim(s) <u>38-41,43,46,53,56-59,61 and 64</u> is/are allowed.						
6)⊠	Claim(s) <u>42,44,45,47-52,54,55,60,62 and 63</u> is/are rejected.						
7) 🗌	Claim(s) is/are objected to.						
	Claim(s) are subject to restriction and/o on Papers	r election requirement.					
9)[	The specification is objected to by the Examine	r.					
10) 🔲 -	The drawing(s) filed on is/are: a)□ accep	oted or b)⊡ objected to <b>by</b> the Exa	aminer.				
	Applicant may not request that any objection to the	e drawing(s) be held in abeyance. S	See 37 CFR 1.85(a).				
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12)☐ The oath or declaration is objected to by the Examiner.							
Priority u	ınder 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a)[	☐ All b)☐ Some * c)☐ None of:						
	1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No						
* Ç	3. Copies of the certified copies of the prior application from the International Buse the attached detailed Office action for a list	reau (PCT Rule 17.2(a)).	<del>-</del>				
	acknowledgment is made of a claim for domesti	•					
_a	) ☐ The translation of the foreign language pro	ovisional application has been re	ceived.				
Attachmen	Acknowledgment is made of a claim for domest	ic priority under 35 U.S.C. 99 12	u anu/ur 121.				
1) Notic	e of References Cited (PTO-892)	· <u>—</u>	ry (PTO-413) Paper No(s)				
	e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449) Paper No(s)		Patent Application (PTO-152)				

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1. Claims 42, 44-45, 47-52, 54-55, 60, 62, and 63 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 42, lines 2-3, it is not understood as to how support arms 40 can be considered to be directed from said cradle in a downward and forward direction. It appears that support arms 40 are directed in a downward and rearward direction (see fig. 2). In claim 42, line 3, use of the phrase "(firing direction)" is indefinite for several reasons. Firstly, the support arms are directed rearwardly and this is not the firing direction. Secondly, terminology in parenthesis makes the claim indefinite as to whether or not said terminology must be present to infringe the claims. Claims 51 and 60 are indefinite for the same reasons given with regard to claim 42.

In claim 44, lines 1-2, it is not understood as to how the piston rods 23 can be considered to be secured to the support platform about a vertical pivot axis (see figs. 1 and 3). They appear to be so secured about a horizontal axis. In claim 44, line 4, use of the phrase "the vertical pivot axis of said piston rods" is indefinite for like reasons. Claims 53 and 62 are indefinite for the same reasons given with regard to claim 44.

In claim 45, use of the phrase "(in the direction of firing)" makes the claim indefinite because terminology in parenthesis is indefinite as to whether or not it is limiting to the claim language. Claims 54 and 63 are indefinite for like reasons.

In claim 45, line 3, there should be a comma between the words "cylinder" and "said". In claim 47, line 28, the term "un" should be un-. Claim 50 lacks a period. In claim 54, line 5, use of the phrase "intermediate of said yoke" makes the claim indefinite as to intermediate said yoke and what other structure is intended.

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2. Claims 38-41, 43, 46, 53, 56-59, 61, and 64 are allowed.

- 3. Claims 42, 44-45, 47-52, 54-55, 60, 62, and 63 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
- 4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Johnson whose telephone number is 703-306-4158. The examiner can normally be reached on Tuesday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703-306-4198. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3597 for regular communications and 703-305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4177.

STEPHEN M. JOHNSON PRIMARY EXAMINER

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Stephen M. Johnson Primary Examiner Art Unit 3641 Page 4

SMJ April 10, 2003